

Nalco Docket No.: 5593C1

OFFICIAL**REMARKS**

This is in reply to the Final Office Action (Paper No. 21) mailed on October 22, 2003.

Claims 1, 2 and 4-13 are pending.

Claims 8-13 are withdrawn from consideration as being drawn to a non-elected invention.

The Specification is objected to.

Claim 5 is rejected under 35 U.S.C. § 112, second paragraph.

Claims 1, 2 and 4-7 are rejected under 35 U.S.C. § 102(b) over Patent No. 4,509,987 ("Farrar").

Claims 1, 2 and 4-7 are rejected under 35 U.S.C. § 103(a) over Patent No. 4,509,987 ("Farrar").

Claims 2, 4 and 5 and 8-13 are cancelled without prejudice to reduce the matters at issue.

Claims 1, 6 and 7 are amended to particularly point out and distinctly claim subject matter which Applicants regard as their invention.

No new matter is added by this amendment.

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OFFICIAL**DISCUSSION****The Objection to the Specification**

The Examiner has objected to the disclosure because of a spelling error on page 5, line 16. In particular, "methy" should be "methyl". Applicants have corrected this error by this amendment. Accordingly, Applicants respectfully request withdrawal of the objection to the specification.

The Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 5 is rejected under 35 U.S.C. § 112, second paragraph. In particular, the Examiner states that no support can be found for the term "number average molecular weight".

Applicants have cancelled claim 5, thereby making this rejection moot.

The Rejection under 35 U.S.C. § 102(b)

Claims 1, 2 and 4-7 are rejected under 35 U.S.C. § 102(b) over Patent No. 4,509,987 ("Farrar").

Applicants respectfully traverse this rejection.

Applicants have amended claim 1 to recite a sulfonated polymer selected from the group consisting of sulfomethylated polymers of acrylamide and acrylic acid and polymers comprising acrylamide, acrylic acid and acrylamido-2-methyl propane sulfonic acid. Support for this amendment is found in original claim 4 and page 5, lines 23-25 with respect to sulfonated polymers of acrylamide and acrylic acid and at page 3, lines 16-22 and page 5, lines 10-11 and 14-16 with respect to polymers comprising acrylamide, acrylic acid and acrylamido-2-methyl propane sulfonic acid.

In addition, claims 6 and 7 are amended to replace "acrylamido-2-methyl propane sulfonate monomer" with "acrylamidomethyl sulfonate". This corrects an error in original claims 6 and 7. See specification at page 5, line 25 to page 6, line 3.

In contrast, Applicants respectfully assert that Farrar discloses a concentrated aqueous dispersion of calcium carbonate particles in which the tendency of the particles to gel is reduced by adding to the dispersion an acrylic acid/AMPS copolymer. See Abstract and col. 4, lines 44-62.

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Therefore, unlike the polymers disclosed by Farrar, which are composed entirely of anionic monomers, the polymers of this invention are composed of anionic repeating units (sulfomethylated acrylamide or AMPS) and nonionic repeating units (acrylamide). Accordingly, as claim 1, and claims 6 and 7 which depend therefrom recite different polymers than the polymers disclosed by Farrar, Applicants respectfully request withdrawal of the rejection of claims 1, 6 and 7 under 35 U.S.C. § 102(b) over Farrar.

The Rejection under 35 U.S.C. § 103(a)

Claims 1, 2 and 4-7 are rejected under 35 U.S.C. § 103(a) over Patent No. 4,509,987 ("Farrar").

Applicants respectfully traverse this rejection.

As discussed above, Applicants respectfully assert that Farrar discloses copolymers having 100 mole percent anionic charge. Applicants further respectfully assert that nothing in Farrar teaches or suggests the equivalence of these polymers with the nonionic monomer-containing terpolymers of this invention or that such terpolymers would be effective in preparing stable dispersions of calcium carbonate or any other slurry. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 6 and 7 under 35 U.S.C. § 103(a).

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OFFICIAL**CONCLUSION**

In view of the foregoing amendment and remarks, Applicants respectfully request entry of this amendment and withdrawal of the rejections under 35 U.S.C. §§ 112, second paragraph, 102(b) and 103(a) and respectfully assert that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully Submitted,



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